

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, August 27, 2007 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, John Lebeaux, James McCaffrey, Moira Miller, Eric Denoncourt, Engineer and Town Planner, and Michael Hale, Asst. Town Manager. Mr. DePalo called the meeting to order at 7:02pm.

Preliminaries:

1. Approve bills, payrolls and warrants, #0815 in the amount of \$325,551.83, and #0818 in the amount of \$4,066,754.20. Motion made, seconded and unanimously approved.
2. Approve minutes August 16, 2007 and August 20, 2007. Motion made, seconded and unanimously approved.
3. Announcements: Mr. DePalo noted that contrary to rumor and recent news articles that the Board had chosen a 40B project, this is not the case. Mr. DePalo said speaking for himself and his colleagues, he would like to make it clear that a decision has not been made yet and probably will not be made this evening. The purpose of all these meetings is to get as much information as possible to enable the Board to make the right decision. Mr. Card and Ms. Miller concurred with Mr. DePalo's statement. Various options had been discussed but no decision had been made by any member of the Board.
4. Town Manager's Report. Nothing other than what is on the Agenda.

Meetings:

5. 7:00pm - Sign BAN Renewal – Oak Middle School, Treasurer Carolyn Marcotte. Treasurer Marcotte was present and advised the Board that she was asking them to sign a thirty day renewal for the Oak Middle School Bond Anticipation Note. Motion was made to approve the renewal of a \$1,278,307.00 4.20 percent Bond Anticipation Note of the Town dated September 6, 2007 and payable November 6, 2007 to Eastern Bank at par. Motion was seconded and unanimously voted. Ms. Marcotte advised that the reason for the November 21st date is because there are other issues due on the same day. She added that she also hoped to have an answer from MSBA by then as well.

Public Hearings:

Old Business:

6. 40B Discussion - continued. Mr. Lebeaux and Mr. McCaffrey recused themselves from the discussion to avoid the appearance of conflict of interest. Mr. DePalo advised that he was asking each proponent to make a ten minute presentation and then proceed to the discussion. Michael Roberts of Avalon Bay reviewed their project and added that nothing has really changed in the proposal or the site plan. However, he stated that he would like to address the Goals & Objectives Comparison presented at the last meeting. Avalon addressed the components stated in the RFI, moderate housing with non use of commercial land and not taxing the sewer system rather than consistency with the Master Plan. He stated they will work with the town on architectural design and believe their site plan is good and will be a great place to live. Although Avalon does not use public open space he pointed to Avalon's mitigation package as filling the attention to the public realm component. Regarding the location criteria, Avalon's site is close to the commuter rail, the infrastructure can handle the traffic and it is a nice site with great views. On redevelopment or replacement of existing buildings rather than use of undeveloped land, both proposals are on undeveloped land. Regarding site and neighborhood improvements, Avalon will work with WBDC to make the location more viable. In reference to items 7, 13, & 14, Mr. Roberts stated that the impact or benefits to the town are equal from a residential point of view and the mitigation package. The Avalon project satisfies the criteria of both 15 & 16 and has been in discussions with WBDC in regard to making their development work which will

satisfy item 17. Ms. Miller advised Mr. Roberts that Wheelabrator, the firm that operates the landfill, had expressed concern about the proximity of a residential development so close to their operation. Mr. Roberts assured the Board that Avalon would work with the town on this matter and the buffer of trees would remain between the landfill and the site. Mr. Hale asked what percentage of the proposed units were one bedroom. Mr. Roberts replied that 178 are currently designated as one bedroom; however this is not set in stone. If changes are made, they would go back the Shrewsbury's zoning board. Mr. DePalo asked what is Avalon's incentive in pursuing 40R permitting after the initial 40B permit is approved. Steven Goldstein of Avalon advised that it is in the town's best interests to pursue a 40R and that Avalon will work towards getting the permit as a benefit to the town. Kevin Maley and Mark Donahue of Fairfield advised that what is important is how the projects match up to the Master Plan and what the town would like as stated in the RFI. The Fairfield project presents more risk to the developer and the town because of the commercial component. However, Fairfield is prepared to meet this by choosing a developer for that portion of the project who is experienced in this type of development. They assured the Board that they would monitor and address issues head on. Fairfield is prepared to take the risks necessary to complete the project. In response to the concerns voiced by the Board regarding Fairfield's involvement with the commercial aspect of the development, Mr. Maley stated that Fairfield will work with the commercial developer to make sure the project is completed as permitted. Mr. Donahue added that the only way the project will be successful for the developer, as well as the town, is for the commercial component to be developed. Mr. Hale asked what percentage of the units were one bedroom. Mr. Maley advised that Fairfield would like to keep the same bedroom mix as in the original proposal. In response to Mr. DePalo's question regarding to 40R permit, Fairfield stated that they would work to get the 40R permit. Mr. DePalo stated that the chairmen of other boards had been invited to attend this meeting to ask questions of the developers. He added that this is not a public hearing and questions will not be allowed from the audience. Mel Gordon, chairman of the Planning Board, advised that he was speaking for himself and not his board. He noted that although Avalon is zoned residential it will be located in a commercial development area which could be a problem. It will be located near the Grafton rail station but there is no other public transportation in the area and residents will need cars in order to get around. It will be a residential development which would bring no jobs to Shrewsbury. He added that he felt that the Avalon project would not be a part of Shrewsbury but an island unto itself. Mr. Gordon noted that Fairfield would give the town the opportunity to jump start the Lakeway District but it has problems as well. It is not a classic mixed use development but two separate developments tied together. Risk could be reduced by a project agreement between the developers and the town that would mitigate the risk. He said that his first choice is Fairfield. Gene Buddenhagen, chairman of the Finance Committee, also advised that he was speaking for himself and not his committee, he expressed concern about the risk the town would take in choosing Fairfield and the additional work load for town employees who are already working to capacity. The town already has many projects in the pipe line. He favored taking a conservative approach and going with the Avalon project, they offer the best mitigation package with the least amount of risk. He added that a plan for the mitigation package should be done as soon as a project is approved. Mr. Hale said that no matter which project is chosen it will mean a lot of work for the Engineering, Building Inspector, and Town Manager's Departments. Ron Rosen, chairman of the Zoning Board of Appeals, advised that he felt it was not appropriate to comment at this time. Pat Convery, chairman of the Shrewsbury Development Corp., added that his committee was not involved in either project. After a short discussion, Board members agreed that they would not be able to make a decision this evening. They will meet again on Wednesday, August 19th at 7:00pm and make a decision at that time.

New Business:

7. Memo from Highway Supt. John Knipe re Stop Sign – Arch Street. Mr. DePalo advised that Supt. Knipe had received a request from Rich Voutas of the Westborough Highway Dept. for the installation of a stop sign at the intersection of Arch and Fisher Streets. Forward to Police Chief Hester and Town Engineer Perreault for recommendation.

Executive Session:

8. Collective bargaining, pending litigation and value of real property.

Communications:

9. Noted copy mailed: Suburban Coalition FY2008 membership information & invoice. Mr. Lebeaux noted that the Board had not been a member of the Suburban Coalition previously and in light of the current financial picture should probably remain a non-member. Motion was made, seconded and unanimously voted not to join the Suburban Coalition.
10. Noted copy mailed: Notification from Police Chief Hester of complaint filed at Westborough District Court re violation of dog orders. Mr. DePalo advised that a hearing had been held and a judgment made. Adam Sanders of Smith Road, the dog owner, had advised the Board that he would be moving out of town by the end of July. This has not been done. The next step is to file a complaint with the Westborough District Court which has been done.
11. Noted copy mailed: Notice of Availability from Corporate Environmental Advisors re Mobile Station, 298 Hartford Turnpike.
12. Noted copy mailed: Dept. of Revenue Information Guideline Release No. 07-401, FY 2008 Guidelines for Annual Assessment & Allocation of Tax Levy.
13. Noted copy mailed; ZBA Hearing Minutes, 6/26/07, James Mulcahy, III & Kathleen Mulcahy, 1-7 Ravine Street.
14. Noted copy mailed: ZBA Hearing Minutes, 6/26/07, John & Lynne Keegan, 1 Renfrew Street.
15. Noted copy mailed: Charles River Laboratories Annual Report to the Town of Shrewsbury.
16. Noted copy mailed: E-mail from Robert Holland, 8 Raymond Avenue, re 40B Decision 2007.
17. Noted copy mailed: STAR Dues Notice for FY 2008 & report. Motion was made, seconded and unanimously voted to approve the payment of dues for STAR for FY 2008.

Motion was made, seconded, and unanimously voted to adjourn at 8:58pm. On a roll call vote Ms. Miller, yes, Mr. Card, yes, and Mr. DePalo, yes.

Respectfully submitted,

Janice C. McCoy
Secretary